

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 915 - SB 1339

April 12, 2021

SUMMARY OF ORIGINAL BILL: Exempts licensed aestheticians working under the supervision of a licensed physician from licensure under the Board of Cosmetology & Barber Examiners (BCBE).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006779): Deletes all language after the enacting clause. Authorizes an aesthetician licensed under the Board of Cosmetology & Barber Examiners (BCBE) to perform microneedling if under the supervision of a licensed physician.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to Opinion 17-31 from the Office of the Attorney General, microneedling is prevented by the rules of the BCBE, as it affects the living layers of the facial skin, which is prohibited under Chapter 0040-02.16 of the BCBE Rules. Microneedling can be performed by a physician at a medical spa or a physician's office.
- The proposed legislation would authorize a licensed aesthetician to perform microneedling if under the supervision of a licensed physician.
- The BCBE would be required to amend current rules to adhere to the proposed legislation; however, rulemaking can be accomplished within existing resources.
- It is not assumed that a significant number of new applicants will obtain licensure as an aesthetician for the sole purpose of microneedling; therefore, the proposed legislation is not estimated to increase or decrease the number of licensed aestheticians or licensing revenue to the BCBE.
- Pursuant to Tenn. Code Ann. § 4-29-121, all regulatory boards are required to be self-sufficient over any two-year period. The Board of Cosmetology & Barber Examiners

experienced a surplus of \$284,185 in FY18-19, a surplus of \$156,438 in FY19-20, and had a cumulative reserve balance of \$1,054,296 on June 30, 2020.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation is not estimated to increase or decrease the number of licensed aestheticians under the BCBE.
- No significant impact to jobs or commerce in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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